



The International League for Human Rights

(formerly The International League for the Rights of Man)

236 East 46th Street, 5th floor
New York, N.Y. 10017
Tel. (212) 972-9554
Cable HUMRIGHTS, N.Y.

TL 2397

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correspondents around the world.

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PETITION ON EAST TIMOR

PRESENTED TO THE

Fourth Committee of the General Assembly of the United Nations

by

Roger S. Clark
Professor of Law

Rutgers University School of Law at Camden
Member of the Board of Directors of the International
League for Human Rights

on behalf of

The International League for Human Rights

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October 14, 1980

Mr. Chairman:

On behalf of The International League for Human Rights, I would like to extend to you and the Members of the Committee our gratitude for the opportunity to appear before you today. This year the work of this Committee takes on a special significance since 1980 represents the twentieth anniversary of the watershed resolution on the ending of colonialism, the Declaration on the Granting of Independence to Colonial Countries and People. This anniversary is also especially significant to the League. Since 1945, The International League has been actively engaged in efforts at the international level to protect the human rights of colonial peoples, including the right to self-determination. In the course of its efforts the League has rendered assistance to advocates of independence in over 30 countries that have since become Members of the United Nations.¹

One such example of former League assistance provides an ironic backdrop to our presentation today. In March of this year, one of the Founding Fathers of Indonesia, one of the giant figures of the movement to end colonial oppression, Dr. Mohammed Hatta, died. While he was a young law student

1. See U.N. Doc. A/35/1980 (5 September 1980).

right enunciated in the Charter of the United Nations and resolutions of the General Assembly.

East Timor, a territory recognized by the United Nations as a non-self-governing territory, has been prevented from freely deciding its own destiny by the unilateral military intervention of Indonesia. Let me remind members of this Committee of the norms of international law involved in the East Timor case. The action of Indonesia in incorporating the Territory of East Timor is, in the League's view, in clear violation of the Charter of the United Nations and of Resolutions 1514, 1541 and 2625 of the General Assembly. We will not further analyze these principles since they were discussed in detail in our two previous statements on East Timor to this Committee.³ Because of the Indonesian occupation of East Timor, Portugal, the legal administering authority, has been prevented from submitting to this Committee status reports on conditions within the territory pursuant to Article 73 of the Charter. Therefore my organization would like to bring to the attention of this Committee conditions in the territory which, in our view, constitute grave violations of the rights of the people of East Timor.

3. A/C.4/33/S.R.20 and A/C.4/34/S.14, 23 October 1979.

in the Netherlands, Mohammed Hatta played a distinguished role in the Anti-Colonial League Congress held in Brussels in 1927. In 1945, shortly after Dr. Hatta and President Sukarno had proclaimed Indonesia's independence, Dr. Hatta addressed what he called a "personal message to my old comrades wherever they may be."² Speaking of the anti-colonial work of the 1920's, he said that "with one voice we agreed that dominations of one people by another should be abolished, we further decided that the relationship between all races should be on a footing of equality, because only in such a world it would be possible for mankind to bring into being the ideal of the brotherhood of nations." The International League for Human rights responded to his call for help and was one of the staunch supporters of Indonesia's independence until it was finally confirmed by the Dutch in 1949.

It is therefore with great sorrow that I appear before you to protest once again Indonesia's denial to East Timor of the rights to self-determination and equality that it sought so properly for itself more than thirty years ago. Specifically, my organization appears before this Committee to urge you to reaffirm the inalienable right of the people of East Timor to determine their own political destiny and to seek means for the implementation of this fundamental

2. Portrait of a Patriot: Selected Writings by Mohammed Hatta, 1972, p. 504.

The medical coordinator of relief efforts in East Timor of the International Committee of the Red Cross, Dr. Pascal Grellety, stated in February of 1980 upon completion of an assessment mission to the territory that the situation in East Timor was among the worst he had ever seen.⁴

Since the 1975 Indonesian occupation, the East Timorese have suffered from a critical shortage of a number of needs basic to human life, including food, shelter and health care. The ICRC East Timor aid coordinator stated that "after four years of privation, diseases caused by lack of proper food have spread to the whole of East Timor" and that in eight remote villages, affecting 10,000 persons, "the situation has assumed disaster proportions."⁵ In light of the accumulated affect of these deprivations, the League would be remiss if we failed to point out that only since October 1979 has the ICRC been permitted to operate a limited aid program there.

When the population figure of 520,000, from the Indonesian Government's own recent survey, is compared with the generally accepted pre-invasion population figure of 670,000, it is clear that a dramatic number of East Timorese have died or been killed since 1975. Untold numbers of deaths resulted directly from Indonesia's bombing and indiscriminate killing

4. ICRC Bulletin, No.49, 6 February 1980.

5. ICRC Bulletin, No.49, 6 February 1980.

of non-combatants. Thousands more deaths resulted from starvation, due to the fact that much of the population was forced to abandon farming and flee to the mountains to escape the fighting in 1977 and 1978. Moreover, in the past two years, from 200,000 to 300,000 Timorese have been resettled in Indonesian controlled camps where overcrowded, cramped conditions have promoted the spread of disease. As we noted last year in our petition, the ailments most frequently encountered during an ICRC medical survey of the camps in September 1979--apart from malnutrition--were malaria, intestinal diseases and parasites, and lung infections.⁶

Only in the past year have Indonesian authorities made it possible for a start to be made on the massive humanitarian effort that needs to be undertaken to ameliorate the desperate plight of the people of East Timor. The efforts of numerous non-governmental organizations and the generosity of the governments of Australia, New Zealand, the Federal Republic of Germany, the Netherlands, Sweden and the European Economic Community are to be commended. Yet it is clear that much needs to be done to provide for the basic human needs in East Timor. Earlier this year, the ICRC assessed that "only a long-term aid programme can give the inhabitants of

6. ICRC Bulletin, No. 44, 5 September 1979.

East Timor the possibility to become self-sufficient."⁷

If humanitarian needs went unaddressed because of callous indifference, the disregard of civil and political rights appears to have been calculated. In the early days of the occupation, hundreds of civilians were summarily executed in Dili.⁸ Numerous reports evidence the disappearance of East Timorese, often the educated and those with leadership ability. Journalists also report that people who had surrendered under the presidential amnesty in 1977 have since disappeared and are believed to have been killed.⁹

A report issued by the Australian Council for Overseas Aid in 1979¹⁰ estimated that there are approximately forty prisons scattered throughout East Timor---three prisons in each of twelve administrative centres. A Timorese dignitary told a visiting New York Times reporter that in four detention camps, prisoners are held incommunicado (two in Dili, one in Baucau and one near Maliana.)¹¹

7. ICRC Bulletin No. 49, 6 February 1980 .

8. James Markham, New York Times, January 27, 1980.

9. James Markham, New York Times, January 29, 1980.

10. East Timor Sub-Committee Report to 1979 Council, Council Paper No. 13.

11. Henry Kamm, New York Times, January 30, 1980.

The conditions in the prisons are reported to be seriously substandard. Diseases, including tuberculosis and malnutrition, are alleged to be rampant. Thus far, the ICRC has not been permitted by Indonesian authorities to carry out its normal function of prison visitation in East Timor.

Recently there have been numerous reports of the use of torture by detention authorities. One refugee reported that his brother, falsely accused of being a member of FRETILIN, was held for 16 months and tortured with electricity.¹² It is impossible to determine the full extent of the use of torture within the prisons since independent observers, such as the ICRC, have not been permitted in, and since the information concerning prison conditions has been largely limited to refugee sources and letters smuggled from the prisons.

Another area of concern to the League is the issue of family reunification. For a number of years, the League has focussed on this issue in other regions of the world. In East Timor, the problem of family reunification is all the more acute and disturbing to the League because conditions within the territory are so critical. The Government of Indonesia, despite an agreement with the Government of Australia, has refused to allow the emigration of eligible

12. James Markham, New York Times, January 29, 1980.

Timorese with family members living in Australia. As a result, efforts to reunite persons in East Timor with family members living elsewhere have been frustrated.

It is difficult for us to evaluate other areas of economic, social, educational and political conditions in East Timor due to the unwillingness of the Indonesian authorities to allow independent observers free access to the territory. Despite attempts to limit information emanating from the territory, however, it is evident that the situation of the people of East Timor is grave. We urge this Committee to seek means to allow the people of East Timor the full realization of their rights to self-determination. This twentieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and People presents an important symbolic opportunity for this Committee to re-affirm the principles of the Declaration which have had great significance for the work of this Committee with respect to East Timor.